

NOT FOR PUBLICATION

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

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UNITED STATE OF AMERICA,

Plaintiff,

v.

ANTHONY SUAREZ and  
VINCENT TABBACHINO

Defendants.

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CRIM ACTION NO. 09-932 (JLL)

**ORDER**

**LINARES, District Judge.**

This matter comes before the Court on motions *in limine* filed (1) Defendant Suarez (CM/ECF No. 37) and (2) Defendant Tabbachino (CM/ECF No. 42). Defendant Tabbachino has joined each *in limine* motion filed on behalf of Defendant Suarez. For the reasons set forth on the record on September 29, 2010

**IT IS** on this 4th day of October, 2010,

**ORDERED** that Defendants' motion to preclude all government witnesses from opining on Defendants' guilt or innocence, or on the controlling law, is **GRANTED**; and it is further

**ORDERED** that the Court **RESERVES** judgment on Defendants' motion to classify the Government as a party-opponent for purposes of Fed. R. Evid. 801(d)(2); and it is further

**ORDERED** that Defendants' motion to introduce extrinsic evidence of bias is **GRANTED**; and it is further

**ORDERED** that Defendants' motion regarding references to the undersigned as the sentencing judge is **GRANTED** in part and **DENIED** in part; and it is further

**ORDERED** that the Court **RESERVES** judgment on Defendants' motion regarding the

admission of additional portions of recordings pursuant to Fed. R. Evid. 106; and it is further

**ORDERED** that Court **RESERVES** judgment on Defendants' motion regarding the spoliation of certain electronic communications; and it is further

**ORDERED** that Defendant's request for a Starks hearing is **GRANTED**; and it is further

**ORDERED** that Defendant Tabbachino's motion to preclude statements made by Defendant Tabbachino on July 23, 2009 is **DENIED** as moot ; and it is further

**ORDERED** that Defendant Tabbachino is granted leave to add Annette Tabbachino to his list of potential witnesses; and it is further

**ORDERED** that Defendant Tabbachino's motion to exclude evidence or reference by the Government to Defendant Tabbachino's alleged crimes of "money laundering" is **GRANTED**.

**SO ORDERED.**

/s/ Jose L. Linares  
United States District Judge